

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MICHAEL HALLMARK,

Plaintiff,

v.

COHEN & SLAMOWITZ, LLP,
and MIDLAND FUNDING LLC d/b/a
MIDLAND FUNDING OF DELAWARE LLC

Defendants.

Civil Action
11-cv-0842(WMS)(LGF)
Class Action

**Plaintiff's Motion to Hold Defendant Cohen & Slamowitz, LLP
in Contempt and to Impose Sanctions Under Fed.R.Civ.P. 37(b)**

Upon the annexed declaration of Brian L. Bromberg, attorney for the Plaintiff and the Class, dated July 9, 2014; upon the Order issued by this Court and other proceedings had before this Court on April 2, 2014; and upon the annexed Memorandum of Law, Plaintiff, by counsel, moves under Rule 37(b) of the Federal Rules of Civil Procedure that this Court grant Plaintiff and the Class the following relief:

1. An order directing that, for the purposes of this action, the net worth of Defendant Cohen & Slamowitz, LLP ("C&S") be taken as established to be \$50 million;
2. An order directing that C&S be precluded from contesting that their net worth is less than \$50 million;

3. An order holding C&S in contempt of court and sanctioning C&S in the amount of \$1,000 per day for each day that C&S continues to defy the Court's Order dated April 2, 2014;

4. An order directing C&S to pay Plaintiff's reasonable expenses, including attorney fees and costs, caused by C&S's failure to comply with this Court's Order issued April 2, 2014;

5. For such other and further relief as to this Court may seem just and proper.

Dated: July 9, 2014
New York, New York

Respectfully submitted,

/s/ Brian L. Bromberg
Brian L. Bromberg
One of Plaintiff's Attorneys

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